IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO. 759 OF 2002
IN
SECOND APPEAL NO. 540 OF 2002.

Sou.Mangal Baban Mane & anr. .... Appellants.
versu.
Sou.Nakusabai Suresh Sakhunde
and others. .... Respondents.

Shri Milind Deshmukh for the Appellants.
Shri A.P.Kulkarni for the Respondents Nos.1 & 2.
Shri A.M.Joshi for the Respondents Nos.3 and 6.

CORAM : ABHAY S.OKA, J.

DATED : 9th December, 2004.

P.C.:

1. This Civil Application was before me on 3rd August 2004. It is not in dispute between the parties that on that day Civil Application was disposed of by directing that the proceedings for partition will continue and that dispossession shall not be made till final disposal of the Second Appeal. However, I find that the said order is not noted on the farad sheet. In view of this undisputed position, the Civil Application is disposed of by directing that the partition proceedings will go on and the actual dispossession will not be effected on the basis of the impugned Judgment and Decree till final disposal of the Second Appeal.

2. Parties to act on authenticated copy of this order.

Judge.